

12/07/01
J1133 U.S. PTO

PATENT
ATTORNEY DOCKET NO.: 040808-5112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

12/07/01
J1133 U.S. PTO
10/005070

Commissioner for Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

**TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION
UNDER 37 C.F.R. §1.53(b)**

This is a request for filing a patent application under 37 C.F.R. §1.53(b) for:

Inventor: Hideyasu KUNIBA

For: IMAGE ENCODING DEVICE, ELECTRONIC CAMERA AND
RECORDING MEDIUM FOR IMAGE ENCODING PROGRAM

1. This is a new **Utility** **Design** **Plant** patent application.
2. The papers enclosed to obtain a filing date are as follows:
61 Pages of Specification including
1 Title Page
16 Pages of Claims
1 Page of Abstract
7 Sheets of drawings containing 11 Figures
 The enclosed drawing(s) are photograph(s), and there is also attached a PETITION TO
ACCEPT PHOTOGRAPH(S) AS DRAWING(S)
3. Combined Declaration and Power of Attorney
 Enclosed and is executed by all inventors.
 Not Enclosed.
This application is being filed under the provisions of 37 C.F.R. §1.53(f).
Applicant(s) await notification from the Patent and Trademark Office of the time
set for filing the Declaration and paying the filing fees.

4. Language

English

Non-English

This application is being filed in accordance with 37 C.F.R. §1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

5. Assignment

An assignment of the invention to NIKON CORPORATION and PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

An assignment will be filed at a later date.

6. Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

Priority of the following foreign applications are claimed:

Country	Application No.	Filed
Japan	2000-374217	December 8, 2000

Certified copies: is attached. will follow.

7. Priority based on provisional application(s) - 35 U.S.C. §119(e)

Priority of the following provisional application(s) is claimed:

Application No.	Filed

A. Relate Back - 35 U.S.C. §119(e)

Amend the specification by inserting before the first line the sentence: "This application claims priority of copending provisional application(s) No. _____ filed on _____."

8. Small entity status

Small entity status under 37 C.F.R. §1.27 is asserted for the present application.

9. Fee Calculation (37 C.F.R. §1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee
				Utility \$740.00 Design \$330.00
Total Claims (37 C.F.R. §1.16(c))	34 - 20 =	14	\$ 18.00 each=	\$252.00
Independent Claims (37 C.F.R. §1.16(b))	18 - 3 =	15	\$ 84.00 each=	\$1260.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			\$280.00	+0.00
SUB-TOTAL =				\$2252.00
Reduction by 1/2 for filing by a small entity				- \$
TOTAL FILING FEE =				\$2252.00

10. Fee Payment

Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**

This application is being filed under the provisions of 37 C.F.R. §1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

Enclosed.

A check in the amount of \$2292.00 representing the basic filing fee of \$740.00, additional claims fee of \$252.00, additional independent claim fee of \$1260.00 and an assignment recording fee of \$40.00 is enclosed.

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11. Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

12. Additional papers enclosed:

- Preliminary Amendment
- Information Disclosure Statement
- Form PTO-1449, ___ document included
- Declaration of Biological Deposit
- Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Please accord this application an application number and filing date.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Robert J. Goodell
Reg. No. 41,040

Dated: December 7, 2001

Customer No. 009629

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